

**From:** Andrew F. Herrmann  
**To:** Microsoft ATR  
**Date:** 11/19/01 10:36am  
**Subject:** Microsoft Settlement

Dear DOJ -

The settlement you have proposed with Microsoft is unacceptable. Given that Microsoft owns 95% of the desktop operating systems worldwide, you can be assured they have a monopoly. Their next biggest rival, Apple Computer has less than a 5% market share. Even our own courts have determined that Microsoft is a monopoly. So, the question remains, did Microsoft use it's monopoly power to hinder competitiveness?

Undoubtedly, the answer is yes. MS when taking on much smaller rival Netscape in the browser arena, decided, the easiest way to kill that company was to give Internet Explorer away for free. With their large bank account and multiple income making products, they readily destroyed Netscape, who's only income was from Navigator. Netscape as a browser only exists today because AOL bought it. How can one not think this was an abuse of power?

Secondly, with such sway over the personal computer desktop, Microsoft was also able to make a "deal" with Apple Computer saying at it's base "if you don't make IE your standard browser, we will stop making MS Office for your platform." Is this business as usual in the United States? I think not.

Finally, the bundling that Microsoft continues to aspire to, including Windows Media Player and the new Windows Movie Player are but another attempt by MS to set itself up as the provider of choice, by offering the American people no choice. I believe that the people of the US deserve a pro-active DOJ that will not allow the continuing dominance of a company that continues to abuse its monopolistic position.

Our own court system has determined and affirmed that Microsoft is a monopoly. I urge you to require harsh measures upon Microsoft, including the possibility of a breakup of the company. It would be an injustice if the Executive Branch of the United States Government, over stepped its bounds and proceeded with the settlement as proposed. Let the court's ruling stand, and let's give innovation back to the people who CAN and DO innovate, not the company in Redmond that stifles it for its' own protection.

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"Only two things are infinite, the universe and human stupidity, and I'm not sure about the former."

-Albert Einstein